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August 31, 2011

MEMORANDUM

To: Administrators of Habilitation Centers for the Intellectually Disabled or Persons with Related Conditions and Residential Treatment Facilities for Children and Adolescents

From: Gwen C. Thompson
Acting Director, Division of Health Licensing

Subject: Provider-wide Partial Exception to the Requirements of Regulations 61-13 and 61-103 Regarding Verbal Orders for Medication and Treatment.

NOTE: This memorandum replaces the memorandum dated February 24, 1998. Amendments were made to comply with Act No. 47 of 2011.

Regulation 61-13, Standards for Licensing Habilitation Centers for the Intellectually Disabled or Persons with Related Conditions, Section J(2)(a), requires that, "All physician's orders for medication and treatment shall be recorded in the client's record, signed and dated by the physician or the nurse receiving the orders. All orders (including verbal orders) shall be signed and dated by the prescribing physician or his designee within 48 hours." Regulation 61-103, Standards for Licensing Residential Treatment Facilities for Children and Adolescents, Section G(2), requires that, "All clinical records shall contain the orders for medication and treatment written in ink and signed and dated by the prescriber or his designee. All orders, including verbal orders, shall be properly recorded in the clinical record and dated and signed by the prescriber or designee within 48 hours."

In the interest of establishing reasonable standards which can be met by providers and yet do not compromise the health and welfare of residents cared for in habilitation centers for the intellectually disabled and residential treatment facilities for children and adolescents licensed in South Carolina, it has been determined that an alternative standard will be considered as acceptable.

All habilitation facilities for the intellectually disabled and residential treatment facilities for children and adolescents will be required to meet the standards outlined in the respective licensing Regulations, R61-13, Section J(2)(a), or R61-103, Section G(2), OR, as an alternative:

1. A committee, to include representation by a physician treating residents at the facility, a pharmacist, and a designated member of the nursing staff, shall identify and list categories of diagnostic or therapeutic verbal orders associated with any potential hazard to the resident that must be authenticated by the prescriber within a limited timeframe. Schedule II controlled substances must be included on the list. A copy of this list shall be maintained at each nurses' station.
2. The verbal orders designated by the committee as requiring authentication within a limited time-frame shall be countersigned and dated by the prescriber or designee within a time-frame defined in facility policy.
3. All other verbal orders must be countersigned and dated by the prescriber or his designee within 30 days.

This exception applies to habilitation centers for the intellectually disabled or residential treatment facilities for children and adolescents licensed by the Department. It relates solely to South Carolina licensing standards. Any adverse condition(s) that may be related to this exception may result in revocation of the exception by the Department. The standards in R61-13, J(2)(a) and R61-103, G(2), as applicable, or the provider-wide exception, will be enforced during inspections. All other standards in the applicable regulations, R61-13 or 61-103, shall apply unless specifically excepted and procedures, but in no case more than two days after the order was given.

If there are any questions, you may call (803) 545-4370.

GCT/rms